

October 23, 2009

EA-08-343

Ms. Cathleen Roughan
Director, Regulatory Affairs/Quality Assurance
QSA Global, Inc.
40 North Avenue
Burlington, MA 01803

SUBJECT: OCTOBER 9, 2009 REPLY TO A NOTICE OF VIOLATION (EA-08-343)

Dear Ms. Roughan:

This letter confirms receipt of your response dated October 9, 2009 to Notice of Violation (EA-08-343). The NRC staff has reviewed the response and concludes that QSA Global has implemented a corrective action plan that adequately addresses the violation involving the shipment of more Ir-192 to the export customer than was authorized by the Australian regulatory authority. The requirement to respond to the Notice of Violation within 30 days has also been met.

With respect to your comment on the NRC Notice of Violation dated September 11, 2009, we acknowledge that the following statement could be misleading:

Along with that notification, QSA provided a copy of an authorization from the Australian government that specifically states the maximum activity in any radiography source container shall not exceed 1,200 GBq (1.2 TBq). Therefore, the stated activity level of the two sources QSA shipped to the customer exceeded the customer's possession authorization.

Based on a telephone conversation on October 15 with you, Mike Fuller and NRC staff, we agree that the phrase 'source container' refers to the device or devices that use (or contain) sources, and not to the transport container. We also agree that the Australian material possession authorization placed no restrictions on the maximum activity of sources in the

C. Roughan

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transport container. If the phrase 'in any radiography source container' were replaced with 'of any Ir-192 source in a radiography device,' the sentence would have been clearer.

If you have any further questions, feel free to contact my staff.

Sincerely,

/RA/

Stephen Dembek, Acting Deputy Director
Office of International Programs

cc:
Christopher M. Baugues
MSc, Physical Scientist, DHS/CBP

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/RA/

Stephen Dembek, Acting Deputy Director
Office of International Programs

cc:

Christopher M. Baugues
MSc, Physical Scientist, DHS/CBP

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ADAMS ACCESSION NOS.:

TEMPLATE NO.: OIP-004

Package No.: ML092580569

Response Letter No.: ML

Incoming Letter No.: ML092960265

* See previous concurrence

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